



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

MEH:ddj
Docket No: 6786-00
17 January 2001

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 17 January 2001. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 1160 PERS 815 of 30 November 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY

**NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000**

1160
PERS-815
30 Nov 00

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: PERS-00ZCB

Subj: BCNR PETITION ICO ~~MMO [REDACTED] IL [REDACTED] DO [REDACTED] 1990-1991~~

Ref: (a) SNM's DD Form 149 dtd 2 Oct 00
(b) MILPERSMAN 1160-100

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval of petitioner's request.
 - a. The petitioner reenlisted on 2 September 1999 for six years via the STAR program and received a zone "A" SRB entitlement for NEC 3385. However, the petitioner was not advanced to Petty Officer Second Class on the date of reenlistment.
 - b. The petitioner requests to receive automatic advancement to paygrade E5 under the STAR program for NEC 3385.
 - c. Per reference (b), the STAR program is only available to personnel on their first enlistment. The petitioner enlisted into the Navy on 3 November 1997 for four years as an "OSVET". Therefore, the petitioner's prior service makes ineligible for the benefits of the STAR program.
2. In view of the above, recommend petitioner's record remain as is.
3. This is an advisory memorandum to reference (a) for use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.

J. W. LONG, JR.
PNC (AW) USN
Head,

Reenlistment Incentives Branch